

REMARKS

Applicant is in receipt of the Office Action mailed June 16, 2006. Claims 1 – 28 were pending. Claims 1, 14, 27, and 28 have been amended. Claims 1 – 28 remain pending in the application.

Support for the amendments to claims 1, 14, and 28 may be found in the specification at least in sections [0046], [0047], [0048], [0051], [0054], [0055], and [0059]. Support for the amendment to claim 27 may be found in the specification at least in sections [0046], [0047], [0048], [0051], [0054], [0055], [0059], and [0072].

Section 102 Rejections

Claims 1 – 28 were rejected under 35 U.S.C. §102(e) as being anticipated by Rajan et al. (U.S. Publication No. US 2004/0030822, hereinafter “Rajan”). Applicant respectfully traverses the rejections in light of the following remarks.

Anticipation under §102(e) requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed below, Rajan fails to disclose each and every element of the claimed invention.

Applicant's claim 1 (as amended) recites:

1. A storage subsystem, comprising:
 - at least one storage device; and
 - a storage virtualization controller, wherein the storage virtualization controller is communicatively coupled to the at least one storage device, and wherein the storage virtualization controller is operable to:
 - determine a metadata format usable to access data stored on the at

least one storage device under a first operating system, wherein the metadata format is determined in response to a request by a host computer system to access the data, and wherein the metadata format is determined based on the host computer system running the first operating system;
generate operating system metadata in accordance with the determined metadata format for the at least one storage device, wherein the operating system metadata emulates a storage volume hosted under the first operating system;
and
send the operating system metadata to the host computer system, wherein the operating system metadata enables the host computer system to recognize the storage device as the storage volume hosted under the first operating system.

Applicant respectfully submits that Rajan does not teach or suggest any element of a storage subsystem that is operable to “determine a metadata format usable to access data stored on the at least one storage device under a first operating system, wherein the metadata format is determined in response to a request by a host computer system to access the data, and wherein the metadata format is determined based on the host computer system running the first operating system” as recited in claim 1. Rajan discloses a storage appliance which dynamically pools storage to create “vdisks” of varying size. The storage appliance provides access to the vdisks under various different storage configurations (e.g., NAS and SAN) and corresponding access protocols (e.g., CIFS, NFS, FibreChannel, etc.). However, the metadata format for the data on the storage appliance is fixed according to the requirements of the storage operating system installed on the storage appliance (see, e.g., Figures 3 and 4 and sections [0034], [0035], [0044], and [0049]). The metadata format in Rajan is determined when the storage operating system is installed, i.e., before any request by a host computer system to access the data. Therefore, Rajan does not teach or suggest that “the metadata format is determined in response to a request by a host computer system to access the data.”

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 14, 27, and 28 are patentably distinct from Rajan. As the independent claims have been shown to be patentably distinct, additional discussion of

the dependent claims is not necessary at this time. Applicant submits that claims 1 – 28 are in condition for allowance and respectfully requests withdrawal of the §102(e) rejection.

CONCLUSION

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5760-09200/BNK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



B. Noël Kivlin
Reg. No. 33,929
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.
P.O. Box 398
Austin, Texas 78767-0398
Phone: (512) 853-8840
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